



11-2000

CPA/6AM-3737 #  
EL 594727544US

PTO/SB/29 (8/98)

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**CONTINUED PROSECUTION APPLICATION (CPA) #18**  
**REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☒ **DUPLICATE**

Address to:

**Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231**Attorney Docket No.  
of Prior Application

4204.7-1

First Named Inventor

John D. Schellenberg

Examiner Name

Group / Art Unit

Express Mail Label No.

EL 594 727 544 US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08/756,257,  
filed on November 25, 1996, entitled Tool Position Indicator.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

11/21/2000  
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[Page 1 of 2]

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (i))	15	-20* =	0	x \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	5	-3** =	2	x \$ 80.00 =	160.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	710.00
				Total of above Calculations =	870.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					435.00
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	435.00

## 6. Small entity status:

- a. ☒ A small entity statement is enclosed, if (b) and (c) do not apply.  
 b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
 c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 13-4900:

- a. ☒ Fees required under 37 C.F.R. § 1.16.  
 b. ☐ Fees required under 37 C.F.R. § 1.17.  
 c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.9. ☒ New Attorney Docket Number, if desired 4204.7-1

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

- 10 a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
 b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)  
 11. ☐ Other: \_\_\_\_\_

**NOTE:**The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

## 12. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

23559

or ☐ New correspondence address below

(Insert Customer Number or Bar Code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

## 13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)

Marc A. Hubbard

Signature

Registration No. (Attorney/Agent)

32,506

Date

11.17.2000



5-5-115  
# 18 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John D. Schellenberg

EXPRESS MAIL LABEL NO.  
EL 594 727 544 US

For: Tool Position Indicator

BOX AMENDMENT  
Director of the United States  
Patent and Trademark Office  
Washington, D.C. 20231

Sir:

RECEIVED  
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SMALL ENTITY STATEMENT

The small entity statement is being filed in connection with a new, Continued Prosecution Application (CPA) claiming priority from copending U.S. Application No. 08/756,257, filed November 25, 1996.

Applicant claims small entity status. See CFR 1.27.

Please charge any fees due, or credit any overpayments in connection with this paper,

to Deposit Account No. 13-4900 of Munsch Hardt Kopf & Harr, P.C.

12/15/2000 RJOHNS02 00000001 134900 08756257  
01 FC:215 55.00 CH

Respectfully submitted,

Date: Nov 17, 2000

By: Marc A. Hubbard  
Registration No. 32,506

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